

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-29 remain pending in this application.

Claim Rejections under 35 U.S.C. § 103

Claims 1-6, 10, 11, and 20-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,400,940 (“Sennett”) in view of U.S. Patent Publication No. 2002/0032564A1 (“Ehsani”). Claims 7-9 and 12-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sennett in view of Ehsani and further in view of U.S. Patent 6,208,877 (“Henry, Jr.”). In response, Applicants respectfully traverse the rejection for the reasons set forth below.

Applicants rely on M.P.E.P. § 2143, which states that to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation in the prior art to modify the reference. Second, there must be a reasonable expectation of success. Third, the prior art must teach or suggest all the claim limitations.

Applicants submit that Sennett, Ehsani and Henry, Jr., alone or in combination do not disclose each and every limitation of independent claims 1, 12, 14 and 20. Claim 1 is directed to a communication system for providing user assistance to an owner of a communication device. Claim 12 is directed to a method for providing user assistance to an owner of a communication device. Claim 14 is directed to a communication terminal for providing user assistance to an owner of a communication device. Finally, claim 20 is directed to a communication device configured to receive user assistance from a communication terminal.

As recited in the above-mentioned claims, the communication terminal has access to a database that stores operator instructions for performing functions with the communication

device. The operator instructions are prescribed user input actions to be performed on the communication device. Upon user request, the communication terminal is configured to transmit these operator instructions to the communication device. Further, the communication terminal comprises a means to enable comparison of, data representing actual user input actions, performed following output of the data representing the operator instructions, with the invocation instruction data to determine if the at least one function of the communication device has been invoked. Accordingly, the comparison means compares the actual user input actions with invocation instruction data after the correct operator instructions have been output to the user. As claimed, invocation instruction data are instructions for invoking at least one function of the communication device.

In contrast, the combination of Sennett, Ehsani and Henry, Jr. do not disclose each and every element of independent claims 1, 12, 14 and 20. Sennett discloses a customized user line guide where a subscriber requests help via a terminal device and subsequently is provided with help information. (See Col. 2, line 67- Col. 3, line 12.) The Office Action acknowledges that Sennett does not disclose, teach or suggest a “means to compare, or to enable comparison of, data representing actual user input actions, performed following output of the data representing the operator instructions, with the invocation instruction data to determine if the at least one function of the communication device has been invoked.” To cure the deficiencies of Sennett, the Office Action incorrectly relies on Ehsani.

Ehsani is directed to grammar recognition in a system for a voice-controlled user interface. Specifically, Ehsani relates to a computer system for automatically creating recognition grammars for voice-controlled user interfaces. See ¶ [0219]. The Office Action relies on ¶ [0251] in making the rejection. Specifically, the Office Action asserts that because the words “match, instruction and user input” are all present in ¶ [0251], Ehsani can be properly relied upon. This assertion is incorrect. Paragraph [0251] of Ehsani discusses Natural Language Understanding using a technique called word spotting. Ehsani states that “[w]ord spotting proceeds from a given set of instructions and then searches user input for specific words that match these instructions.” However, Ehsani does not disclose that the user input is “performed following output of the data representing the operator instructions.”

Further, Applicants respectfully submit that Ehsani does not disclose comparing user input actions with invocation instruction data. Instead, Eshani compares user input in the form of words with a phrase thesaurus. *See* ¶ [0248]. “The identical invention must be shown in as complete detail as is contained in the claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). Here, Eshani fails to disclose each and every element of the claimed invention in complete detail. Thus, for at least the reasons set forth above, Eshani fails to cure the deficiencies of Sennett because it does not disclose, teach or suggest means to compare, or to enable comparison of, data representing actual user input actions, performed following output of the data representing the operator instructions, with the invocation instruction data to determine if the at least one function of the communication device has been invoked. Further, Henry, Jr. fails to cure the deficiencies of Sennett or Eshani. Accordingly, Applicants respectfully requests that the rejection be withdrawn and independent claims 1, 12, 14 and 16 be allowed.

In addition, claims 2-10, 11-13, 15-19 and 21-29 depend from one of independent claims 1, 12, 14 or 20 and are therefore allowable for the reasons set forth above without regards to further patentable limitations contained therein. Accordingly, Applicants respectfully request reconsideration of claims 1-29 and that the claims be allowed.

If this rejection of the claims is maintained, the examiner is respectfully requested to explicitly point out where the above-mentioned features are disclosed in the references.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 C.F.R. § 1.25. Additionally, charge any fees to Deposit Account 08-2025 under 37 C.F.R. § 1.16 through § 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Respectfully submitted,

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